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Attorneys for Plaintiff, Deutsche Bank National Trust Company, as Indenture Trustee Under the Indenture Relating to IMH Assets Corp., Collateralized Asset-Backed Bonds, Series 2005-7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 DEUTSCHE BANK NATIONAL TRUST
11 COMPANY, AS INDENTURE TRUSTEE
12 UNDER THE INDENTURE RELATING TO
13 IMH ASSETS CORP., COLLATERALIZED
14 ASSET-BACKED BONDS, SERIES 2005-7,

15 Plaintiff,

16 vs.

17 OLD REPUBLIC TITLE INSURANCE
18 GROUP, INC.; OLD REPUBLIC
19 NATIONAL TITLE INSURANCE
20 COMPANY; DOE INDIVIDUALS I through
21 X; and ROE CORPORATIONS XI through
22 XX, inclusive,

23 Defendants.

Case No.: 2:20-cv-02009-GMN-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY**

(First Request)

21 Plaintiff, Deutsche Bank National Trust Company, as Indenture Trustee Under the
22 Indenture Relating to IMH Assets Corp., Collateralized Asset-Backed Bonds, Series 2005-7
23 (“Deutsche Bank”) and Defendants, Old Republic Title Insurance Group, Inc. (“ORTIG”) and Old
24 Republic National Title Insurance Company (“ORNTIC”) (collectively, the “Parties”), by and
25 through their counsel of record, hereby submit their Stipulation to Extend Discovery Deadlines
26 by ninety (90) days in accordance with Local Rule 26-3 and Local Rule IA 6-1. The Parties are
27 requesting an extension to the discovery deadlines as the Parties are finalizing a stipulated
28 protective order to be filed and entered by the Court prior to the Parties’ disclosure of confidential

documents. The Parties' experts need additional time to review the substantive document production prior to the initial expert disclosure deadline, which is currently set for May 28, 2021. Based on the volume of the documents and the need for a protective order, the Parties request an additional ninety (90) days in order to complete discovery and provide the experts with sufficient opportunity to review documents and responses to the pending written discovery requests.

The request for an extension is supported by good cause in compliance with LR 26-3, has been brought in good faith, is the first request for an extension of time to the discovery deadlines

A statement specifying the discovery completed:

The Parties conducted the Fed. R. Civ. P. 26(f) conference on November 30, 2020. Thereafter, the Parties promptly submitted their proposed Joint Discovery Plan and Scheduling Order on December 14, 2020 [ECF No. 17]. On December 15, 2020, the Court entered the Discovery Plan and Scheduling Order [ECF No. 18] with the following deadlines:

- Initial disclosures: January 20, 2021;
- Amend pleadings/add parties: April 28, 2021;
- Initial experts: May 28, 2021;
- Rebuttal experts: June 28, 2021;
- Discovery cutoff: July 27, 2021;
- Dispositive motions: August 26, 2021; and
- Joint proposed pretrial order: September 24, 2021, or 30 days after resolution of dispositive motions.

Thereafter, the Parties completed the following discovery:

- Deutsche Bank's Initial Disclosure of Witnesses and Documents, February 3, 2021;
- ORTIG and ORNTIC's Initial Disclosure of Witnesses and Documents, February 8, 2021;

(a) A specific description of the discovery that remains to be completed:

The Parties need to conduct the following discovery:

- Agreement of the terms of a Stipulated Protective Order and the Court's entry of the same;
- The Parties' Written Discovery Requests;
- The Parties' Initial Expert Disclosure;
- The Parties' Rebuttal Expert Disclosure;
- Deposition of Fed. R. Civ. P. 30(b)(6) Witness for ORTIG;
- Deposition of Fed. R. Civ. P. 30(b)(6) Witness for ORNTIC;
- Deposition of Fed. R. Civ. P. 30(b)(6) Witness for Deutsche Bank;
- Deposition of various fact witnesses and experts; and
- Such other discovery that may be deemed necessary or appropriate.

(b) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan:

Due to the need for a protective order and the volume of discovery propounded, the Parties need additional time to produce documents prior to the initial expert disclosure deadline of May 28, 2021. Over the past several months, the Parties have been negotiating the terms of an appropriate protective order that would meet all of the Parties' needs and they anticipate that a stipulated protective order will be entered shortly. Thereafter, the Parties plan on producing documents and expert reports. The Parties anticipate that the confidential document production will be voluminous and will need to be reviewed by their retained experts in preparation of authoring reports. Accordingly, the Parties request a ninety (90) day extension to the discovery deadlines so that discovery responses can be provided and the Parties' experts have sufficient time to review the written discovery responses, documentation, and issue opinions prior to the initial expert disclosure deadline.

In accordance with Local Rule 26-3, good cause exists for an extension to the discovery deadlines as the Parties' experts are unable to prepare an expert report prior to the May 28, 2021 deadline given that confidential documents have not yet been produced, nor has a protective order been entered.

1 **(c) A proposed schedule for completing all remaining discovery.**

2 The Parties request that current Discovery Plan and Scheduling Order [ECF No. 18] be
3 amended as follows:

- 4 1. Last Day to Disclose Initial Expert Report: currently May 28, 2021, **desired August**
5 **26, 2021;**
- 6 2. Last Day to Disclose Rebuttal Experts: currently June 28, 2021, **desired September**
7 **24, 2021;**
- 8 3. Last Day to Complete Discovery: currently July 27, 2021; **desired October 25, 2021;**
- 9 4. Last Day to File Dispositive Motions: currently August 26, 2021, **desired November**
10 **24, 2021;**

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IT IS SO STIPULATED.

DATED this 7th day of May, 2021.

EARLY SULLIVAN WRIGHT GIZER &
McRAE LLP

/s/ Sophia S. Lau

Sophia S. Lau, Esq.,

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Attorneys for Specially-Appearing

Defendant Old Republic Title Insurance

Group, Inc. and Defendant Old Republic

National Title Insurance Company

IT IS SO ORDERED.

DATED this 10th day of May, 2021.

UNITED STATES MAGISTRATE JUDGE